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Preferences, discriminations, and pooling are forbidden. The "long and short haul" clause is contained in the act. In connection with this provision it is stated that the road of any corporation shall include all railroads owned or operated by it under contract agreement or lease.

Violations of the provisions of the act entitle the person aggrieved to bring suit within one year from the date of the offense complained of and to recover double damages together with the cost of the action. The commission, on behalf of the state, shall institute proceedings in the courts when the act is violated; each violation is punishable by a fine of not less than \$500 nor more than \$3000. The prosecuting attorney of the district in which the action is brought prosecutes the case and receives a fee not exceeding 25 per cent. of the amount recovered. No provision is made for his payment in case the action fails. In cases arising in connection with the enforcement of the findings of the commission such findings are to be regarded as *prima facie* evidence.

The companies subject to the provisions of the act are required to furnish the commission with copies of all leases, contracts, and agreements with other lines; and to furnish such further information as may be required by the commission. The commissioners are empowered to inspect the books and papers of any railway company and to examine the officers of the company under oath. In investigations they may subpoena witnesses. If the witnesses refuse to attend or to answer, the commission may fine and imprison them for contempt. The railroads and express companies, under the act, are required to make annual reports in accordance with forms prescribed by the commission.

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TRUSTS AND THE TARIFF.

IN recent issues of some of the more prominent newspapers, there have appeared various editorials on the question of trusts. The editors of the papers evidently recognized the immensity of the problem as well as the popular demand for some means to stop, or at least check such concentration, and, strange to say, have put forth a common solution. Their solution is based on the supposition that trusts are

due to the tariff, and hence if any changes are made in it the combinations will be open to foreign competition, and possibly injured. At any rate the consumer will have the benefit of lower prices caused by the competition of foreign producers.

Tariffs can hardly be said to be the cause of trusts. It is undoubtedly true that barriers against international trade do make the organization of such concerns much easier. The real facts go to show that tariffs help to control industry, but in a small degree. The excessive competition of many plants stimulated by unnatural incentive leads to the concentration of capital. The anarchy of industry has repeatedly been the cause of combinations. In one sense a tariff does prevent the formation of international combinations. Robert Liefmann,¹ a German authority, says that "had Germany free trade a greater number of powerful international organizations would be in existence than now." A tariff does make it possible for a combination to sell the overproduction in other lands without lowering the prices within the country in which it operates. But if no such barrier existed even an international combination might find it very difficult to hold its organization together in the face of a world-wide competition.

But just how far is a tariff instrumental in creating trusts and the like? An examination of a list of millionaires in the United States (one would suppose millionaires made their money by combinations) shows that 2727 made their money in industries not the least protected.² The *World's Almanac*, 1898, p. 126, publishes a list of combinations. In this list are 121 corporations, out of which number, forty-eight, in the opinion of the writer, would not be affected by a repeal of tariff duties, in those cases where such privileges are enjoyed. A combination like the milk or bakers' trust will not be injured by any legislation Congress can pass. The American Sugar Refining Company and the American Tobacco Company would look with favor

¹ *Unternehmenverbände*, p. 66.

² In protected industries mainly,	-	-	-	-	1125
In cattle and lands,	-	-	-	-	47
Patent medicines, patents,	-	-	-	-	93
Inherited, origin unknown,	-	-	-	-	34
Origin of fortune not known,	-	-	-	-	21
Industries not the least protected,	-	-	-	-	2727

upon a reduction in the tariff upon raw material, knowing that their combinations were sufficient to protect them against any foreign competition in refined sugars.¹ As the tariff stands today it protects us in some degree from international combinations which could not be formed with the barrier of a tariff against foreign products.

In some cases the repeal of custom duties would virtually destroy not only the combination but the industry. Such an instance is that of the tin-plate industry. This organization was formed in December 1898, with a capital of 50 millions of dollars. The tin-plate maker has never been able to make his product for less than \$2.75 per box, of 108 No. IC 14 x 20 plates.² The duty is now \$1.62 on the single box. The English makers are selling the same thing in Liverpool for \$2.30. The price quoted above for the American product is about cost. Since the formation of the combination the quotation has been raised to \$3.80. The repeal of the tariff would destroy the combination and the industry.

It is not in the case of tin or products of this character that the people complain, but in the monopolization of food products and necessities. Any repeal of tariff duties in these instances will not break up the combinations now controlling the output of milk, crackers, oil, clothes, coffins, etc. The problem is by no means so easy as that.

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PROFESSOR PATTEN'S PSYCHOLOGICAL DOCTRINES.³

PROFESSOR PATTEN'S chapter on "theory" is in substance a summary of the theory outlined in his *Theory of Social Forces*. The author's problem is to explain the part played by consciousness in human activity, in the adjustment of the organism to the environment. He conceives this to be effected by the relations established between two fundamentally distinct kinds of ideas—sensory and motor. The sensory ideas are created by incoming nervous currents set in motion by the environment; the motor ideas excite the outgoing currents

¹ *Trust Investigation*, New York, 1897, pp. 120, 121.

² *Yale Review*, November 1898.

³ *The Development of English Thought: A Study in the Economic Interpretation of History*. By SIMON N. PATTEN. New York: The Macmillan Company, 1899.